

Docket No. PHUS-28

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
FAOUR, J. et al.

Group Art Unit: 1617

Serial No.: 09/770,901

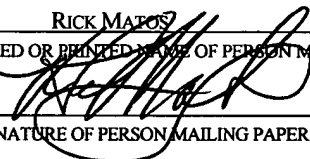
Examiner: S. Jiang

Filed: January 26, 2001

For: Pharmaceutical Compositions
Containing a Cox-II Inhibitor
and a Muscle Relaxant

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

"EXPRESS MAIL" MAILING LABEL NUMBER <u>ER 272257015 US</u> DATE OF DEPOSIT: <u>APRIL 13, 2004</u> I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS. <u>RICK MATOS</u> (TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)  (SIGNATURE OF PERSON MAILING PAPER OR FEE)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The following sections are submitted for this Information Disclosure Statement:

1. X Preliminary Statements
2. X FORM PTO - 1449
3. ___ Statement As To Information Not Found in Patents or Publications
4. ___ Identification Of Prior Application In Which Information Was Cited And For Which
No Copies Are Submitted Or Need Be Submitted
5. ___ Cumulative Patents or Publications
6. ___ Translation(s) of Non-English Language Documents
7. ___ Concise Explanation of Non-English Language Listed Information Items
8. X Copies of Listed Information Items Accompanying This Statement
9. X Identification of Person(s) Making This Information Disclosure Statement

Section 1. Preliminary Statements

Applicant submits herewith patents, publications or other information which may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The filing of this Supplemental Information Disclosure Statement shall not be construed as a representation that a search has been made (37 CFR 1.56(g)), or as an admission that the information cited is, or is considered to be, material to patentability.

The filing of this Supplemental Information Disclosure Statement shall not be construed as an admission against interest in any manner.

Section 2. FORM PTO - 1449

Form PTO - 1449 (1 page) is enclosed herewith.

Section 3. Statement As To Information Not Found In Patents Or Publications (Information not listed in PTO 1449)

Section 4. Identification Of Prior Application In Which Information Was Cited And for Which No Copies Are Submitted Or Need Be Submitted

This application relies, under 35 U.S.C. 120, on the earlier filing date of prior application S/N _____, filed on _____.

Section 5. Cumulative Patents or Publications

_____ is cumulative of the following patents or publications listed on Form PTO 1449:

In accordance with 37 CFR 1.98(c) a copy of only _____ is being submitted with this information disclosure statement.

Section 6. Translation(s) of Non-English Language Documents

_____ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material.

☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

☐ The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith.

Section 7. Concise Explanation of Non-English Language Listed Information Items

Section 8. Copies of Listed Information Items Accompanying This Statement
Legible copies of all items listed in Form PTO-1449 accompany this information statement.

☐ Exception(s) to above

☐ Items in prior application from which an earlier filing date is claimed for this application as identified in Section 4.

☐ Cumulative patents or publications identified in Section 5.

Section 9. Identification of Person(s) Making This SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The person making this statement is

(a) ☐ the inventor(s) who signs below

Signature of Inventor

Typed name of inventor

(b) ☒ the agent who signs below on the basis of:

☐ information supplied by the inventor(s)

☐ information supplied by an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))

☒ information in the agent's file

It is respectfully requested that the references identified in this Supplemental Information Disclosure Statement be considered by the Examiner, be made a part of the official record, and be cited in the issued patent.

Respectfully submitted,

Date: _____

4/13/4

Innovar, L.L.C.

P.O. Box 250647

Plano, TX 75025

(972) 747-7373 ph.

(972) 747-7375 fax

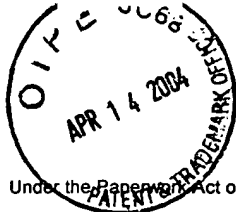


Rick Matos, Ph.D.

Registration No. 40,082

Agent for Applicants

Email: innovarllc@sbcglobal.net



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/08B (10-96)
Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE



Substitute for form 1449B/PTO SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known	
		Application Number	09/770,901
		Filing Date	January 26, 2001
		First Named Inventor	Faour, J.
		Group Art Unit	1617
		Examiner Name	Shaojia A. Jiang
Sheet 1	of 1	Attorney Docket Number	PHUS-28

OTHER – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	File No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	2
		FUTAKI et al. in Abstract of <i>Gen. Pharmacol.</i> (1993), 24(1), 105-110	
		GANS et al. in Abstract of <i>J. Pharmacol. Exp. Ther.</i> (1990), 254(1), 180-187	
		TANAKA et al. in Abstract of <i>Arzneimittelforschung</i> (1992), 42(7), 945-50	
		DIALOG™ database print-out	
		VERVURG et al. in <i>Am. J. Therapeut.</i> (2001), 8, 49-64	
		ROSENSTOCK et al. in Abstract of <i>Biochim. Biophys. Acta</i> (1999), 1440(1), 127-137	
		SAWADA et al. in Abstract of <i>Immunopharmacology</i> (2000), 49(3), 285-294	
		KULKARNI et al. in <i>Methods and Findings in Experimental and Clinical Pharmacology</i> (2000), 22(5), 291-298	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--